

Region 1Hot Topics**Region 1 Initiates ELMS Project with Massachusetts**

On January 23 and 28, R1 conducted a training program with Massachusetts Department of Environmental Protection (MassDEP) personnel on ELMS and developed a visual management board to manage the process for establishing Notices of Activity and Use Limitations (NAULs) on Superfund Sites in Massachusetts. R1's goal is to utilize ELMS tools and work with MassDEP to improve this process and increase the number of NAULs established this year.

Region 1 Issues CWA Order to Greenleaf Foods

On January 24, R1 issued a Clean Water Act administrative compliance order to Greenleaf Foods (d/b/a Lightlife Foods) for violations of pretreatment regulations into the sewer system of the Town of Montague, MA. The company operates a food manufacturing facility and has discharged wastewaters to the Town's sanitary sewer system in violation of the pH pretreatment standard.

District of Vermont Enters Consent Decree Settling CWA Section 404 Claims

On January 24, the District Court for the District of Vermont entered the Consent Decree resolving claims against Nelson Farms, Inc., and Douglas Nelson, Sr., for violations of Sections 301 and 404 of the Clean Water Act at an agricultural site in Coventry, VT. The Consent Decree includes a civil penalty of \$150,000 and requires restoration and mitigation of 102.7 wetland acres and an impacted tributary and the establishment of enforceable conservation easements to permanently protect all acreage subject to the Consent Decree.

Region 1 Conducts Workshop with Penobscot Indian Nation

On January 28 and 29, R1 organized and led a data management workshop on Indian Island in Maine to restructure benthic macroinvertebrate data flow and modeling for the Penobscot Indian Nation. Representatives from EPA HQ and the Maine Department of Environmental Protection were in attendance. The Penobscot Indian Nation has faced significant challenges in uploading their biological monitoring data to the Water Quality Exchange (WQX), EPA's database for water quality data, as required by their grant. The workshop has been a few years in the making and included kaizen events with the state and tribe to analyze the problem and resolve the issues.

Brownfields and CWSRF Funding Converge in Vermont Opportunity Zone

On January 28, the Brownfields site at 453 Pine Street in Burlington, VT, was determined eligible for a loan of up to \$5 million from the State's Clean Water State Revolving Fund for costs relating to site cleanup. Vermont Department of Environmental Conservation and Chittenden County Regional Planning Commission have collectively invested \$210,000 in their Brownfield funding to date for site assessment and cleanup planning work at the site, which is in an Opportunity Zone just east of the Pine Street Canal Superfund site.

Upcoming Major Decisions and Events

Nothing to report.

Region 2Hot Topics**Puerto Rico Earthquake Response**

PR continues to experience quakes, typically 15-25 per day. On January 25, a magnitude 5.0 quake shook southern PR. On January 28, a magnitude 7.3 or higher quake struck between Cuba and Jamaica. Residents are afraid of another larger quake and the possibility of a tsunami. EPA continues its on-site hazardous substance and oil assessments. Additional quakes, including multiple smaller ones, may require repeated reassessments. EPA also started on-site inspections of water systems, including the many small, community non-PRASA drinking water systems. We have also started planning our work to managing household hazardous waste debris. R2 is working with HQ to finalize several waivers requested by PREPA, the Puerto Rico electric utility.

Hoosick Falls (Saint Gobain Performance Plastics Site)

On January 22, RA Lopez participated in the monthly meeting of the state-sponsored Community Participation Working Group (CPWG) for the Hoosick Falls area sites. The meeting included a discussion about broader policy actions and decisions regarding PFAS that are being made by EPA on the national level. A question and answer session followed, focusing primarily on the community's views on the need for the establishment of an MCL and asking for clear timeframes for regulatory decisions. There was no media attendance. Congressman Anthony Delgado, representatives from the offices of Senators Schumer and Gillibrand, Hoosick Falls Village Mayor Rob Allen, and Hoosick Town Supervisor Mark Surdham attended.

Gowanus Canal

On January 28, R2 announced issuance of an administrative order requiring the start of remedial dredging in the upper section of the Canal and land-based excavation and restoration of a filled-in former lateral extension of the Canal (called a Turning Basin). We briefed Congresswoman Nydia Velazquez' office prior to issuing the press release and received a favorable quote from the Congresswoman. We notified the Community Advisory Group, whose members responded positively to the announcement. In-canal dredging and capping work is expected to begin this fall.

Upcoming Major Decisions and Events**Hudson River PCB Treatment Facility Site Road Access**

On January 31, RA Lopez and staff will attend a meeting with several state and local government agencies regarding plans for future ownership of a two-mile long road that provides access to the site of the former treatment facility built by GE for management of the PCB-contaminated sediments dredged from the Hudson River. EPA owns the majority of the road and is legally obligated to transfer ownership to a state or local government agency. Other parts of the road are owned by private entities and, for one small stretch, the NY State Canals Corporation. Permanent access to the site is a key requirement for its re-use by new industrial or commercial ventures. A plastics manufacturer is willing to locate there, but only if access can be permanently assured. The various government agencies are discussing the most appropriate future ownership arrangements.

TRI Announcement Event

R2 is planning an event for the first week in February at a facility that has made changes to reduce emissions (e.g., a source reduction) subject to TRI reporting. A facility under consideration is the TDK-Lambda (electronic equipment and suppliers) facility in Tinton Falls, NJ.

USVI Disaster Recovery Meetings

R2 CEPD Director Guerrero will travel to St. Croix, U.S. Virgin Islands, February 5-6 to attend a meeting of the USVI Office of Disaster Recovery's Wastewater and Drinking Water Infrastructure Recovery Task Force, and

coordination meetings with other local and federal agencies working on disaster recovery. R2's new USVI Recovery Sustainability Advisor, Zeno Bain, will accompany her.

Region 3Hot Topics**BoRit Asbestos Superfund Site, Ambler, Montgomery County, Pennsylvania**

On January 28, representatives of Whitpain Township, the Pennsylvania Department of Environmental Protection (PADEP), and EPA will meet at Whitpain Township to discuss the Consent Decree between the United States and PADEP (plaintiffs) and Whitpain Township (settling defendant). The Consent Decree, filed on November 21, 2019, places responsibility to implement certain discrete operation and maintenance activities and land use restrictions at the Park Parcel on the settling defendant. During the January 28, meeting, EPA, PADEP, and Whitpain Township personnel will review the individual sections of the Consent Decree and gain an understanding of the requirements and obligations described within the document for each party.

Shaffer Equipment Removal Action Update, Minden, WV

On January 22, the removal program began transportation and disposal of Toxic Substances Control Act (TSCA) regulated soil excavated from the Shaffer Equipment Site. Soil was excavated and staged onsite to delineate TSCA regulated material (soil containing > 50 ppm PCBs) and non-TSCA regulated material. TSCA regulated soil is being shipped to Wayne Disposal in Belleville, MI. The removal program will continue to excavate soil until concentrations of PBCs are below 1 ppm. The excavation area will then be backfilled with clean fill material. The removal program completed minor cap repair along the eastern sheet pile wall. Top soil was placed in areas where minor erosion had occurred. Filter fabric was placed over the top soil to prevent the soil from eroding again. R6 stone was placed on top of the filter fabric to hold it in place. The two swales in the area were restored to their original condition. Filter fabric and stone was placed in the flood plain to prevent erosion and sedimentation.

EPA to Meet with PA Agencies to Model Potential Revisions to Vehicle Emission Inspection Program

On January 31, EPA will meet with staff from Pennsylvania's Departments of Environmental Protection (PADEP) and Transportation (PENNDOT) to begin the process of projecting the impact of revisions to the Commonwealth's vehicle emission inspection program, known as DriveCleanPa. These changes are driven by both modernization updates being considered by the state executive agencies that administer the program and by introduced legislation impacting areas where the program currently operates. Changes under consideration include: elimination of testing requirements for some newer and older model cars, expansion of the use of on-board diagnostic computer checks in lieu of traditional tailpipe emissions measurement, and a change in frequency of tests. The purpose of this week's meeting is to project the emissions impacts of several options for change under consideration by Pennsylvania to ensure that a revised program would continue to meet minimum federal program performance standards and that the resulting program would not interfere with any area's ability to meet federal ambient air quality standards. If Pennsylvania opts to enact these changes, the Commonwealth would first revise its program rules and then request that EPA revise the program currently approved under the Pennsylvania State Implementation Plan (SIP). Pennsylvania currently operates varying forms of vehicle emissions inspection programs in 25 of Pennsylvania's 67 counties, based on effected areas' air quality and population. For further information, visit: <http://drivecleanpa.state.pa.us>.

EPA, FHWA, and FTA Recertify Planning Process for Lehigh Valley Transportation Study (LVTS)

On December 16-17, 2019, a Federal review team consisting of EPA, the Federal Highway Administration, and the Federal Transit Administration reviewed the Lehigh Valley Transportation Study (LVTS) planning process. The Certification Review Process occurs every four years and ensures that planning requirements in Transportation Management Areas are being satisfactorily implemented. The review team determined that the metropolitan transportation planning process conducted in the Lehigh Valley urbanized area meets Federal planning requirements and is certifying the transportation planning process conducted by the Pennsylvania Department of Transportation, LVTS and Lehigh and Northampton Transportation Authority. This action is being taken under the Clean Air Act.

EPA Received Clean Air Act Title V Petition for Pennsylvania Waste Coal Plant

On January 8, EPA received a Clean Air Act Title V petition from Sierra Club / Clean Air Council for Northampton Generating Company's waste coal plant in Northampton County, Pennsylvania. Sierra Club / Clean Air Council submitted comments during the public comment period on a minor modification to the facility's title V permit. Comments pertained to the adequacy of the facility's monitoring program and to the Pennsylvania Department of Environmental Protection's (PADEP's) use of a minor modification, as opposed to a significant modification process. Upon PADEP's response to comment, the petitioners have asked EPA to object to PADEP's issuance of Northampton Generating's Title V permit modification.

Chesapeake Bay Foundation Files Comments Opposing MDE Conowingo Settlement Agreement

On January 17, the Chesapeake Bay Foundation (CBF) filed comments with FERC challenging the settlement agreement between Exelon and the Maryland Department of the Environment (MDE). CBF urged FERC to reject the settlement agreement, arguing that it is insufficiently protective of the Chesapeake Bay, and encouraged FERC to include conditions protective of the Bay in the license for the Conowingo Dam.

WIIN 2107 Lead Testing in Schools and Childcare Facilities Grants

As of January 24, R3 has awarded WIIN 2107 grants to Maryland, Virginia, and West Virginia in the amount of \$513,000, \$723,000, and \$262,000, respectively. This new grant opportunity will provide funding to the states to conduct voluntary lead testing in schools and childcare facilities by means of EPA's 3T's method (Training, Testing, and Taking Action). The states will deliver quarterly reports to EPA one the number of samples taken, locations of sample sites, and populations affected by the work carried out under the assistance agreement.

Pennsylvania Drinking Water Meeting

On January 23, EPA traveled to Harrisburg to meet with staff from the Pennsylvania Department of Environmental Protection (PADEP). PADEP provided an update on the status of staff hires since their regulatory program fee package was published in 2018. PADEP reported that 33 new staff were hired, though 12 sanitarian positions are currently vacant throughout the Commonwealth. PADEP has a thorough and rigorous staff training process for new hires, long-term staff, and managers. EPA provided an update on the drinking water National Compliance Initiative (NCI) strategy as well as America's Water Infrastructure Act of 2018 (AWIA) and Water Infrastructure Improvements for the Nation Act (WIIN) implementation efforts. The group also discussed the status of primacy revision applications and EPA's Public Water System Supervision (PWSS) annual review report.

EPA NPDES Continues Federal/State Coordination Meetings (VA and DC)

On January 16-17, EPA traveled to Virginia and the District of Columbia to meet with NPDES compliance and enforcement managers and staff of VADEQ and DOEE in order to exchange information and build upon future areas of collaboration. The focus of discussions included program overviews, resources, state review framework (SRF), inspection targets and strategies, enforcement, and data, and more.

Upcoming Major Decisions and Events

RA Servidio has the following event scheduled:

February 5 EPA and VA Department of Agriculture and Consumer Services MOU Signing, Melfa, VA

Region 4Hot Topics**Westside Lead Site, Elm Street (Atlanta, GA)**

On January 27, excavation activities began in the Westside neighborhood. Several on-camera interviews were conducted with the on-scene coordinator. Receipt of signed access agreements has notably increased. To date, the effort includes 368 total properties identified, 128 access agreements signed, 124 properties sampled, and 66 parcels with at least one area with lead levels over the site-specific remediation goal of 400 ppm identified. Excavation of the first residential property began January 27 (Elm Street), and several contiguous lots are being addressed this week. The region is working with City of Atlanta Department of Watershed Management to address drainage issues in the area.

Super Bowl 54 (Miami, FL)

From January 22 to 24, R4 deployed a total of 20 fixed-location chemical agent air monitoring stations at three separate venues. On January 25, activities at Super Bowl Experience and Super Bowl Live started, with EPA conducting air monitoring at those venues using two separate EPA teams. Five On-Scene Coordinators and two Environmental Response Team members conducted air monitoring operations. EPA coordinated with the Department of Energy and the Federal Bureau of Investigation at the All Hazards Center.

Paducah Gaseous Diffusion Plant, KY

On January 29, RA Walker, along with Superfund program management and staff, participated in the initial Alternative Dispute Resolution Team Collaboration Workshop. Participants included representatives from EPA, KDEP, and DOE.

Yazoo Backwater Area (Vicksburg, MS)

Staff are working on a draft document that compares the elements of the Corps' preferred plan from their 2007 FSEIS with the plan they provided in December 2019. Staff are working to provide the document to senior management by COB January 31.

Upcoming Major Decisions and Events

February 5 RA Walker will participate in a Partnership Initiative meeting with DOE and TDEC for the Oak Ridge Reservation. Closed Press. Chattanooga, TN.

Region 5Hot Topics**Proposed Redesignation of Lemont and Pekin SO₂ areas in Illinois**

R5 is preparing to sign a notice proposing to redesignate the Lemont and Pekin, IL, SO₂ nonattainment areas to attainment of the 2010 SO₂ NAAQS. The Lemont area is a portion of Cook and Will counties. The Pekin area is a portion of Peoria and Tazewell counties. Illinois established new emission limits for several facilities in each area to bring the areas into attainment. Final approval of the redesignations could occur in spring 2020. Over 200,000 people in Illinois are now breathing cleaner air.

RA Thiede Joins Officials to Announce Cleanup Agreement in the Milwaukee Estuary AOC

On January 28, Regional Administrator Thiede joined representatives from the Wisconsin Department of Natural Resources, the city of Milwaukee, Milwaukee County, Milwaukee Metropolitan Sewerage District, We Energies and other partners to announce an agreement to work cooperatively to further clean up the Milwaukee Estuary Area of Concern. RA Thiede joined Milwaukee Mayor Tom Barrett, Wisconsin DNR Secretary Preston Cole, and other community leaders to announce the \$28 million Great Lakes Legacy Act agreement to investigate and design a cleanup plan. RA Thiede noted EPA has unveiled an updated Great Lakes Action Plan III to guide the actions of federal agencies and the many partners during the next five years to protect and restore the Great Lakes. RA Thiede said cleaning up the Milwaukee Estuary will fuel the local and regional economies and spark community revitalization efforts.

Unilateral Administrative Order Issued for Cleanup at DePue New Jersey Zinc Superfund Site

EPA issued a unilateral administrative order to two potentially responsible parties to clean up soil in a portion of the New Jersey Zinc/Mobil Chemical Corp. site in DePue, IL. The site is contaminated with elevated levels of zinc, lead, arsenic, and other metals. EPA estimates the cleanup will cost TCI Pacific Communications and CBS/Westinghouse about \$10 million. The order requires the PRPs to clean up soil in residential areas, parks, a school, and other properties in a section of the site. EPA plans to hold a public meeting to discuss soil sampling and cleanup and to answer questions before work begins this spring. Last October, at the request of Illinois EPA, EPA assumed the lead for the cleanup because the state's negotiations with PRPs had reached an impasse. Since then, discussions, negotiations, and the company itself have been productive and cooperative. Also in October, the DePue site was added to the Administrator's Emphasis List of Superfund sites targeted for immediate, intense action.

East Chicago, IN, Residents Concerned about CN Rail Siding Plan

Wisconsin Central Ltd. (a subsidiary of Canadian National Railroad) has applied for permits to build a new rail siding in East Chicago, IN., that will be used to store petcoke. The railroad wants wetland fill permits and a water quality certification from the Army Corps of Engineers and Indiana Department of Environmental Management to construct the rail siding. The proposed siting is adjacent to the USS Lead Superfund site.

DOJ Lodges Consent Decree with Dynegy/Duke Zimmer Plant in Ohio for CAA Violations

Dynegy Zimmer and the United States have reached a settlement to resolve opacity limit and SO₂ permit violations at the company's coal-fired generating station in Moscow, OH. Dynegy estimates it will spend at least \$312,000 to complete required injunctive relief and mitigation actions at the Zimmer Station that will bring its operations into compliance with the Clean Air Act for the violations and mitigate some of the environmental harm caused by alleged noncompliance at the plant. In addition to the compliance costs, Dynegy will complete a \$270,000 mitigation project, pay a \$600,000 civil penalty, and complete a \$45,000 Supplemental Environmental Project. The SEP includes the replacement of lighting in a public school with more energy efficient fixtures. The mitigation includes replacement of three older school buses with new buses with cleaner-burning engines. EPA has kept Ohio EPA informed of its ongoing settlement discussions with Zimmer, but the state is not a party to the settlement.

RA Thiede Promotes Cleaner Truck Initiative

On January 27, RA Thiede and other EPA staff visited the Cummins Technical Center in Columbus, IN, to learn more about the company's emission-control technologies and to discuss EPA's Cleaner Trucks Initiative. EPA officials are seeking input from stakeholders around the country on the proposed emission standards for oxides of nitrogen in highway heavy-duty engines. RA Thiede said the visit was to make sure there is awareness among industry partners that EPA wants input to help inform the NOx rule. RA Thiede also said the tour was an opportunity for R5 leadership to see first-hand what goes into making and testing engines and understanding the business side of engine manufacturing.

EPA Orders Hazardous Waste Investigation at Former East Chicago, IN, Refinery

EPA has announced Citgo Petroleum Corp. and Oxy USA have agreed to investigate and address hazardous waste releases at the former Cities Service Refinery in East Chicago, Ind. EPA's administrative orders on consent under the federal Resource Conservation and Recovery Act require the companies to determine the nature and extent of hazardous waste releases at the former refinery and tank terminal and clean up any releases that may pose a risk to human health or the environment. The site is adjacent to the USS Lead Superfund site.

Appeals Court Dismisses Tribal Lawsuit against EPA and Army Corps

On January 27, the 7th Circuit upheld a district court's decision to dismiss the Menominee Tribe of Wisconsin's complaint and denial of its motion to amend a lawsuit against EPA and Army Corps of Engineers. The district court had decided EPA and the Corps did not render new decisions when they sent letters to the tribe explaining that Michigan had assumed authority to issue Clean Water Act 404 permits in 1984. The court had also ruled EPA's withdrawal of objections to the state's CWA 404 permit was committed to EPA's discretion by law and therefore unreviewable under the Administrative Procedure Act. A final part of the district court's decision — upheld by the appeals court — was that the National Historic Preservation Act does not apply because the permit at issue was for a privately funded and state-licensed mining project. While not before the court, a concurring opinion noted there is a question whether the 1984 delegation remains legally valid and that changes to the Menominee River might warrant EPA revisiting the delegation, either on its own initiative or in response to a petition.

Upcoming Major Decisions and Events

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| February 3 | R5 will participate in a town hall meeting on the Detroit-area I-696 "green ooze" site. The meeting is hosted by Rep. Andy Levin, State Sen. Jeremy Moss, State Rep. Jim Ellison and the city of Madison Heights, Mich. Michigan Department of Environment, Great Lakes, and Energy. The Michigan Department of Health and Human Services will also participate. |
| February 6 | RA Thiede will participate in a panel on PFAS policy and regulation at an event sponsored by the Heritage Group in Indianapolis. |

Region 6Hot Topics**Denka Performance Elastomer, La Place, Louisiana**

The next Concerned Citizens of St. John community meeting is February 11 and EPA will discuss the new SPod system in greater detail with local residents. On January 27, Regional Administrator McQueen responded to a letter from attorney Hugh Lambert, who expressed concerns about EPA's pending transition from an air monitoring program. EPA sent similar letters to Congressman Richmond on January 15, and newly elected Parish President Hotard on January 23. By letter Congressman Richmond requested additional information on January 30. SPod deployment is currently scheduled to occur the week of February 18. Regarding the CAA enforcement case, the government team continues its review of Denka's January 10 comprehensive settlement offer. Former owner DuPont's counteroffer is expected in the near future.

Tar Creek Superfund Site, Oklahoma

R6 continues to review and develop countermeasures to address concerns with implementing EPA's Offsite Rule and the Chat Rule imposed by the ROD to ensure the sale of chat does not cause pollution problems in other locations. Most chat sold from the Tar Creek site is used within R7, though a small portion is used throughout the United States. R6 is taking steps to improve tracking chat sales from production facilities and self-certifications on use for pre-authorized uses under the Chat Rule. R6 is also taking steps to improve testing and technical verification for other possible uses of chat as prescribed by the Chat Rule. Currently, all chat is commercially washed to remove fines containing high concentrations of heavy metals prior to sale.

Drinking Water Project, Vinton, Texas

On January 27, EPA received a financial structure package from the North American Development Bank (NADB) to move forward with construction assistance for Vinton, TX. The drinking water project is a funding collaboration with the United States Department of Agriculture to provide Vinton residents with safe drinking water. Currently residents receive drinking water service through several private well companies. The proposed project consolidates several private water companies into a single, sustainable supply provided by the El Paso Water Utility. The project provides funding to 367 homes (approximately 2,043 residents). The total project cost is estimated at \$10.6 million. EPA is leveraging \$3.5 million in Border Environment Infrastructure Funds with \$7.1 million in USDA funding.

Wastewater Project, Nueva Ciudad Guerrero, Mexico

On January 27, EPA received a financial structure package from the North American Development Bank (NADB) requesting to move forward with construction assistance for Nueva Ciudad Guerrero, Tamaulipas, Mexico. The comprehensive wastewater collection and treatment project is a funding collaboration with the federal, state, and local governments in Mexico. Currently residents have collection but discharge untreated wastewater to a tributary of the Rio Grande just downstream of Falcon Dam. The proposed project will eliminate 0.27 million gallons of untreated wastewater with a direct benefit to Starr County residents in Texas. The total project cost is estimated at \$4.3 million. EPA is leveraging \$2.0 million in Border Environment Infrastructure Funds with \$2.3 million in Mexican funding.

Pryor Chemical Company, Pryor, Oklahoma

On January 29, EPA sent a letter to the Department of Justice seeking stipulated penalties from LSB Industries for consent decree violations at the Pryor Chemical Company facility in Pryor, OK, related to continuous emissions monitoring system (CEMS) requirements. EPA has determined that stipulated penalties may have accrued in the amount of \$933,500. The Oklahoma Department of Environmental Quality is a co-plaintiff in this matter and supports seeking stipulated penalties for this violation.

Phillips 66 Alliance Refinery, Belle Chasse, Louisiana

On January 29, EPA hosted a meeting to discuss the United States and the State of Louisiana's responses to two force majeure notifications sent by Phillips 66 Company pursuant to the Consent Decree in Civil Action No. H-

05-0258, United States et al. v. Phillips 66 Company (S.D. Tex.). On December 5, 2019, the United States and the State of Louisiana, a co-plaintiff to the Consent Decree, collectively responded to the September 19 and October 23, 2019, notifications in separate letters addressing each notification. The response letters documented the determination that the events in question did not constitute a force majeure under the Consent Decree. Phillips 66 is also asking EPA to approve its Alternative Monitoring Plan allowing in service inspections of tanks in place of inspections that require emptying/de-gassing under NSPS Subpart Kb. The company has many tanks coming up on their 10-year inspections.

Louisiana Offshore Oil Port (LOOP), Louisiana

On January 31, EPA, MARAD, and the Coast Guard will discuss the path forward regarding deep water port permits. EPA met with the Coast Guard, MARAD, and LOOP on January 22 to discuss LOOP's permitting obligations under the Clean Air Act for obtaining an air emissions permit for its deep water port activities. On the call, LOOP's counsel stated that following a previous meeting with senior EPA management in HQ, they were under the impression that EPA agreed with their position that LDEQ was the appropriate permitting authority. R6 clarified that it had not received instructions to treat LOOP any differently than the other deep water port facilities seeking permits from EPA. In response, LOOP's counsel stated they were moving forward with the state process and that EPA could comment on the action during the State's public comment period if we took issue with their approach.

Major Decisions and Events

Revised Certification and Training Plans, Texas and Louisiana

Both the Texas Department of Agriculture (TDA) and Louisiana Department of Agriculture have submitted their Revised Certification and Training (C&T) Plan for Pesticide Applicators for review by EPA. EPA completed a rule making in 2017 that required all states to submit their new C&T Plans to the agency by March 4. The final plans will be signed by the Regional Administrator by March 4.

Exceptional Event Demonstration (2017 and 2018) PM10, El Paso County, Texas

By February 14, EPA anticipates concurring on a TCEQ request that certain ambient air monitoring data be excluded from regulatory actions. The final demonstration submittal cover letter is dated November 11, 2019.

Louisiana SIP Revision for Withdrawal of Stage II Vapor Recovery Systems Requirements, Louisiana

By February 14, EPA anticipates proposed approval to the Louisiana State Implementation Plan (SIP) revision to remove Stage II Gasoline Refueling Vapor Recovery Program. On May 30, 2019, EPA received a request from Louisiana to withdraw Stage II Vapor Recovery Systems requirements.

Upcoming Events

February 3	Queen Bess Island Restoration Project Ribbon Cutting, Grand Isle, LA
February 4	2020 National Stormwater Conference, San Antonio, TX
February 7	Brownfields Grant Event with Southern University, Shreveport, LA
February 11	TRI Event, Tulsa, OK
February 12	Maurepas Diversion Project Press Conference, Baton Rouge, LA
February 12	Tribal Visits with Ottawa, Eastern Shawnee, Wyandotte Nation, Miami, Shawnee, Seneca-Cayuga, Quapaw Nation, OK
February 13	National Steel Manufacturers Association Meeting, Dallas, TX
February 19	Permian Basin Water in Energy Conference, Midland, TX

Region 7Hot Topics**Cleaner Trucks Initiative Roundtable**

On January 27, RA Gulliford joined several executives from transportation and trucking industry associations and companies for a roundtable discussion of the Cleaner Trucks Initiative Advance Notice of Proposed Rulemaking. The event took place at the headquarters of Yellow Roadway Corporation, a trucking company based in Overland Park, KS. RA Gulliford was joined by a representative of the Office of Air & Radiation's Office of Transportation & Air Quality, who helpfully engaged with the industry stakeholders. R7 shared a national news release and material with trade media and business journals.

Region 7 Reaches Settlement with Frontier Ag Inc. for Alleged Clean Air Act Violations in Kansas

Reducing risks from accidental releases of hazardous substances at industrial and chemical facilities is a top priority for EPA. R7's action helps enforce one of EPA's seven 2019 National Compliance Initiatives. The settlement includes three ammonia fertilizer facilities owned by the company in Kansas, two in Bird City and one in Menlo. Region 7 issued a news release announcing the settlement on January 27.

Hebert Abandoned Drums Response

Earlier this month, EPA responded to abandoned containers in a residential area in St. Louis, MO. On January 2, the Missouri Department of Natural Resources sent a request to EPA to evaluate eight abandoned containers in a residential area in St. Louis. The containers were sampled and determined to contain hazardous substances. EPA is conducting a time-critical removal during the week of January 27 to secure and transport the containers for proper disposal.

Upcoming Major Decisions and Events**Region 7 Great Plains and Midwest Harmful Algal Blooms Workshop**

R7, the Office of Research & Development, and the University of Kansas Edwards Campus are co-hosting a workshop on February 4 and 5 to explore issues and solutions surrounding harmful algal blooms in waterbodies within the Midwest and Great Plains. The workshop will include participation from states, tribes, and other agencies within EPA R5, R7, and R8. Discussions will focus on both identifying the issues and challenges associated with excess nutrients leading to the formation of HABs in the Great Plains and Midwest regions, as well as the best practices for nutrient reduction and source water protection to prevent HABs in agricultural dominated waterbodies. R7 is anticipating a video or recorded greeting from Administrator Wheeler to share during the kick-off of the workshop.

Region 7 hosting meeting with Nebraska Leadership Education/Action Development Fellows

On February 7, 2020, R7 is hosting the LEAD fellows for a meeting focused on partnering with the agriculture sector to deliver innovative environmental solutions that work for rural America and the communities it supports.

Region 8Hot Topics**Denver Water Variance Update**

Fourteen individuals or groups submitted comments on the Denver Water variance. All commenters were in support of the variance and the criteria listed in the Order. Several commenters do not support the expiration of the variance in three years, citing that the variance can be terminated at any time if certain criteria in the Order are not met. A commenter suggested leaving public comment open throughout the variance. R8 will work on a strategy to address the comments.

Butte/Silver Bow Brain Cancer Study Update

A recent journal article evaluating brain cancer rates in the Butte area was reviewed by the Montana Department of Public Health and Human Services (DPHHS) epidemiologist. DPHHS is lead on this issue. DPHSS developed an FAQ to contextualize the study's findings. FAQs are published on the DPHHS and BSB Health Department web sites (<https://www.co.silverbow.mt.us/DocumentCenter/View/17246/Brain-Cancer-Frequently-Asked-Questions>). DPHHS is writing a letter to the editor of the publishing journal. The BSB Board of Health sanctioned creation of a new committee to focus on studies concerning the health of BSB residents.

Meconium Study Update

R8 evaluations of the Butte meconium study are complete. The available meconium literature and discussions with authors of these papers indicated that Butte meconium levels fall within the range of "normal." The Butte Site team will present the results of the meconium literature review to the Butte/Silver Bow (BSB) Board of Health and the Butte Council of Commissioners on February 5. If the researchers do not correct or withdraw the article following their review of the literature, the Butte Site team plans to contact the publishing journal to discuss rebuttal options.

Colorado Future Farmers of America and Federal Career Day at Denver Federal Center

Sixty-one high school students from around Colorado learned about natural resource careers with the federal government. This event is a direct result of the EPA and FFA Organization MOU signed in February 2019. R8, USDA Natural Resource Conservation Service (NRCS), and Bureau of Reclamation (BOR) presented information about their mission, research and careers fields.

Upcoming Major Decisions and Events

February 3 to 7	RA Sopkin and his chief of staff travel to Utah for elected official visits, tribal meetings, and meet with a local environmental group. The RA and COS will meet with:
February 4	Mike Mower, UT Governor's Deputy District Director; Adam Gardiner, Sen. Romney's State Director; Carolyn Phippen, Sen. Lee's Intergovernmental Advisor
February 5	The RA and COS will travel to Fort Duchesne, UT and meet with the Ute Tribe leadership (Ute Business Committee), which includes Chairman Duncan, Vice-Chair Tony Small, and Chairmen Shaun Chapoose, Edred Sekakuku, Ron Wopsok, and Sal Wopsok
February 6	Sean Reyes, UT Attorney General; The Wasatch Air Quality Network (comprised of environmental and conservation groups); Erin Mendenhall, Mayor of Salt Lake City; Scott Baird, UT DEQ Director
February 7	Utah Division of Oil, Gas and Mining (John Baza, Director, Dana Dean, Deputy Director, and Bart Kettle, Deputy Director)

Region 9Hot Topics**Clean Air Act Consent Decree**

A consent decree is set to be lodged on January 31 to resolve alleged violations by Kohler Co., of the Clean Air Act and California law. Under the terms of the settlement, Kohler will pay a \$20 million civil penalty and retire more than three million kilograms of unlawfully generated hydrocarbon (HC) + oxides of nitrogen (NOx) emission credits. The violations pertain to Kohler's manufacture and sale of millions of small, non-road, non-handheld spark-ignition engines that did not conform to the certification applications Kohler was required to submit to EPA and the California Air Resources Board. More than 144,000 of the engines were also equipped with a fueling strategy designed to cheat emissions testing standards (commonly referred to as a "defeat device"). These engines are used in lawn mowers, ride-on mowers, commercial landscaping equipment, and generators. The proposed settlement will be subject to a 30-day public comment period and final court approval.

FIFRA Settlement Agreement

R9 completed a Consent Agreement and Final Order with Pool Water Products, Inc., located in Irvine, CA, addressing the sale and distribution of unregistered pool disinfectants (pesticides) in violation of FIFRA. The company agreed to pay a penalty of \$800,000. We ordered the company in 2018 to stop selling an improperly registered pesticide ("ALL Clear 3 Jumbo Chlorinating Tablets") nationwide, following Arizona's statewide stop-sale order. State inspectors discovered the unregistered pesticide during an inspection of the company's Phoenix warehouse.

Clean Air Act SIP Actions

R9 issued several final actions to reduce further our SIP backlog: conditional approval of several Maricopa County (Phoenix area) rules limiting ozone precursors; approval of Santa Barbara County's revised new source review rules; approval of Mojave Desert's (CA) rules limiting ozone precursors from several types of industrial operations; and approval of Ventura County's (CA) attainment demonstration for the 2008 ozone standard.

Arizona Drinking Water Primacy

R9 notified Arizona DEQ that it has met the requirements for primary enforcement authority under the Safe Drinking Water Act for revisions to its Public Water System Supervision program concerning several regulatory and statutory actions, including administrative penalty authority.

Upcoming Major Decisions and Events**California Unified Program Agencies (CUPA) Executive Leadership Summit**

RA Stoker will give opening remarks at a summit of the CUPA annual conference, which brings together executives from California's environmental and emergency response boards, departments, and offices that oversee implementation and enforcement of programs including underground storage tanks, accidental release prevention, and hazardous waste generator and onsite treatment. R9 staff from enforcement, land, and Superfund divisions will participate in technical sessions.

California Agriculture Engagement

RA Stoker will host the California Central Coast Healthy Soil dialogue in Santa Ynez, along with the California Department of Food and Agriculture Secretary and the USDA State Conservationist. Central Coast growers will participate in discussions on best practices and barriers to implementation of healthy soils measures. Our themes for the session include support for healthy soils programs and on-farm composting to increase the availability and use of compost on farms and rangelands.

Clean Air Act SIP actions

We plan to issue proposals to partially approve and partially disapprove portions of Maricopa County's plan to meet reasonably available control technology requirements for the 2008 ozone standard, as well as a proposed action on San Joaquin Valley's plan and extension request for the 2006 PM_{2.5} standard.

Region 10Hot Topics

Nothing to report.

Upcoming Major Decisions and Events**Final Rulemaking: Hilcorp Air Permit (AK)**

We anticipate the RA Stoker will sign a Notice of Final Rulemaking by February 7 for a Part 55 CAA Consistency Update, adopting the Alaska Department of Environmental Conservation's permit program regulations for R10's use in developing an outer continental shelf air permit. EPA received one adverse comment on the proposed Notice asking EPA to use the most stringent standards to protect the Outer Continental Shelf and prevent any and all exploration on the OCS. R10 is planning a meeting with Hilcorp to further explain permit application information needs and EPA's permitting process. Hilcorp has expressed interest in beginning exploratory operations by July.

Safer Choice outreach at the 2020 Seattle Boat Show (WA)

During the week of January 27, R10 staff will attend the 2020 Seattle Boat show to provide outreach on the Safer Choice program and the benefits of products that are certified to clean boats and RVs and meet the EPA's standards for direct release into waterways. EPA will host a table in conjunction with the Clean Boating Foundation and the Pollution Prevention Resource Center, who will provide outreach on invasive species and the safe boat maintenance. The Seattle Boat Show is the largest boat show on the West Coast with 400 exhibitors and around 50,000 attendees.

Fort Wainwright Army Base ROD (AK)

R10 has concurred and expect to sign a Record of Decision for three Military Response Sites at Fort Wainwright in early February. The three former training areas total approximately 840 acres within the Fort Wainwright installation. Past investigations explored metal anomalies and did not find any discarded munitions or munition constituents above risk levels in test pits or analytical samples. The ROD, which has been signed by the Army and the State of Alaska, declares No Further Action for Munitions or Explosives of Concern or Munitions Constituents at the three sites.

Multiple ASAOCs Expected for Remedial Design in Portland Harbor (OR)

EPA received signed copies of Union Pacific Railroad's Administrative Settlement Agreement and Order on Consent to perform Remedial Design at River Mile 10 East of Portland Harbor. EPA is also expecting multiple additional parties to sign ASAOCs by January 31 to take advantage of incentives offered by the City of Portland and the State of Oregon for PRPs to perform remedial design.

NPDES Permit Progress – Idaho NPDES MS4 Final Permit

R10 will reissue a final NPDES permit to the City of Idaho Falls and ID Transportation Dept. District 6 Municipal Separate Storm Sewer Systems (MS4s) during the week of February 3. The public comment period ended December 10, 2019. R10 received a final CWA Section 401 certification from the State of Idaho on January 3. This final permit action authorizes MS4 discharges to the Snake River in Idaho and is part of the ongoing effort to eliminate the backlog of administratively extended NPDES permits in Idaho.

Idaho Association of Soil Conservation Districts and Idaho NRCS Meeting with HQs

The Idaho Association of Soil Conservation Districts and Idaho NRCS will meet with staff in the Administrator's Ag Counselor's Office as well as the Nonpoint Source Branch on February 5. Topics of discussion will include CWA 319 funding, Idaho nonpoint source success stories and partnerships, and potential sources of alternative funding for conservation related projects.

Office of Air and Radiation

Hot Topics

Packages for Signature

- Stationary Combustion Turbines RTR (Final Rule)
- Revisions to Appendix P to 40 CFR Part 51, Concerning Minimum Emission Reporting Requirements in SIPs (Proposed Rule)

Packages at OMB for Review

- Vehicle Test Procedure Adjustments for Tier 3 Test Fuel (Proposed Rule: RECEIVED DATE: February 25, 2019)
- Light Duty Greenhouse Gas Program Technical Amendments (Final Rule: RECEIVED DATE August 1, 2019)
- MATS RTR & Cost Review (Final Rule: RECEIVED DATE October 4, 2019)
- Strat Ozone - Section 608 Refrigerant Management – Revisions (Final Rule: RECEIVED DATE October 4, 2019)
- SAFE (Final Rule: RECEIVED January 14, 2020)
- Fuels Regulatory Streamlining (Proposed Rule: RECEIVED January 27, 2020)
- Residential Wood Heaters NSPS Amendments (Final Rule: RECEIVED January 28, 2020)

Upcoming Major Decisions and Events

Community-Scale Air Toxics Ambient Monitoring Grants

In the coming weeks, EPA will announce the Community-Scale Air Toxics Ambient Monitoring grants competition. The grants are intended to assist state, local and tribal communities in identifying and characterizing air toxics sources, characterizing the degree and extent of local air toxics problems, and tracking progress of air toxics reduction activities. Funding for the grants comes from State and Tribal Assistance Grants (STAG) funding, and EPA anticipates awarding up to \$5 million over two-years. Individual grants cannot exceed \$750,000. OAR intends to hold a webinar shortly after the competition is announced to walk through eligibility requirements and the application process.

Office of Chemical Safety and Pollution Prevention

Hot Topics

New Use Registration for Invora Herbicide

OPP by February 3 will announce registration of a new use of Invora, to include rangeland control of woody shrubs in Arizona, New Mexico, Oklahoma, and Texas. This will be a critical tool for cattle ranchers.

Upcoming Major Decisions and Events

Nanosilver Proposed Registration

The week of February 3, OPP will solicit public comment on the proposed new active ingredient for non-food contact materials preservative uses of a new nanosilver active ingredient, “NSPW Nanosilver.” The proposed pesticide product, Polyguard, is produced with the active ingredient compounded with a polymer in the form of plastic pellets, which are used to produce fibers that are then incorporated into textiles to suppress the growth of bacteria, algae, fungus, mold, and mildew.

Banda de *Lupinus albus* doce (BLAD) Proposed Rule

Within the next two weeks, OPP will solicit public comment on a proposal to revoke the tolerance exemption for BLAD residues in or on all food commodities. In its place, the proposal would establish tolerances for BLAD residues in or on certain commodities. Shortly after establishing the current tolerance exemption, EPA became aware that the European Union considers lupin (from which BLAD is derived) to be an allergen, which led EPA to reconsider the safety of the tolerance exemption and develop this new proposal.

2018 Toxics Release Inventory (TRI) National Analysis

The week of February 10, OPPT will release the 2018 TRI National Analysis. The 2018 data show an increase in recycling of TRI chemical wastes nationwide and indicate that companies continue to find ways to implement new source reduction activities and reduce the quantities of TRI chemicals they release into the environment. All ten EPA regions will amplify with regional focused press releases and events/site visits.

Methyl Bromide Proposed Interim Decision

In the coming weeks, OPP will solicit public comment on the Proposed Interim Decisions (PIDs) for a set of soil fumigants, including methyl bromide. EPA is proposing more explicit language on what should be documented, how to help further mitigate risks to bystanders, handlers and workers, and to help track incidents.

General Exemptions from Reporting Requirements for Certain Microorganisms

OPPT will soon finalize a rule that reduces burden for two microorganisms used in the biotechnology industry. These organisms, *Trichoderma reesei* and *Bacillus amyloliquefaciens*, will not present an unreasonable risk of injury to health or the environment under the conditions of the exemptions, which include physical containment. This concludes a nearly decade-long rulemaking effort.

Selected Upcoming Rulemaking

- OPPT will soon propose a supplemental Significant New Use Rule (SNUR) that would impose stronger regulations on imported products containing certain persistent long-chain long chain per- and polyfluoroalkyl substances (PFAS)
- OPPT will soon finalize a rule amending TSCA Chemical Data Reporting (CDR) requirements, and a separate action finalizing an amendment updating the definition for small manufacturers

Selected One-Month Look-Ahead

- Mid-February: Designation of low-priority chemicals under TSCA
- Mid-February: CBI Review Plan Rule
- Mid-February: TCE draft risk evaluation

Office of the Chief Financial OfficerHot Topics**FY 2020 Operating Plan**

The agency's FY 2020 Operating Plan is due to Congress on February 10, along with the federal governments' FY 2021 President's Budget request supported by the agency's FY 2021 Congressional Justification. Both the EPA's FY 2020 Operating Plan and the FY 2021 Congressional Justification are on schedule for the required OMB review and clearance to meet the February 10 deadline.

Puerto Rico Earthquakes

The agency has received five mission assignments, totaling over \$850,000, to support response to the recent Puerto Rico Earthquakes.

GAO and OIG Entrance Conferences

New agency entrance conferences since the last weekly report:

GAO Audits – Week Ending 1/24/2020				
Audit Type	Title	Office	Engagement/Report No.	Next Steps/Comments
Entrance Conference	EPA's Integrated Risk Information System (IRIS) Program	ORD	Engagement Code 103997	Entrance conference - February 4 (originally scheduled for January 29)

OIG Audits – Week Ending 1/24/2020				
Audit #	Title	Status	Office	Next Steps/Comments
None.				

Upgrade Agency's Accounting System

OCFO plans to upgrade the agency's accounting system in February. OCFO and OMS are working together closely to minimize impacts to the agency. Financial transactions in the accounting system and other supporting systems will be impacted beginning close of business February 14 through February 25. Agency offices are encouraged to work with its respective Funds Control Officer and Senior Budget Officer or Regional Comptroller to plan and manage funds accordingly based on forthcoming guidance to be provided to the agency resource community.

Upcoming Major Decisions and Events

- February 3 OMB Deputy Director for Management contacted the Associate Deputy Administrator requesting confirmation of EPA's six FY 2020-2021 Agency Priority Goal (APG) statements by February 3, including OMB edits to the lead and PFAS APG statements which have been approved by the respective APG Leads. The APG statements also will be included in the FY 2021 CJ due to Congress on February 10.
- February 5 OCFO is preparing the Administrator's statement for signature by February 5 supporting the reliability and completeness of performance data in the FY 2019 Annual Performance Report. The FY 2019 APR will be issued as part of the FY 2021 CJ.
- February 5 Initial draft FY 2020 Quarter 1 Agency Priority Goal (APG) Action Plan Updates are due to OMB on February 5. Final Drafts are due to OMB February 28, and OMB plans to publish the updates on www.Performance.gov March 19.

February 6 OCFO is scheduled to meet with the Assistant Deputy Administrator on February 6 to finalize content for the Administrator's FY 2020 Quarterly Performance Review scheduled for February 12

Office of Congressional and Intergovernmental Relations

Hot Topics

- February 4 Subcommittee on Transportation and Safety of the Senate Committee on Commerce, Science, and Transportation will hold a hearing titled, “Keep on Truckin’: Stakeholder Perspectives on Trucking in America.” The hearing will examine the state of the trucking industry in the United States, truck safety issues, and the regulatory environment from the stakeholder perspective.
(No EPA witness)

- February 5 Hearing on Recycling Efforts before the House Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies (witness: OLEM AA Peter Wright)

- February 5 House Committee on Science, Space, and Technology Subcommittee on Investigations and Oversight and Subcommittee on Energy will hold a hearing to examine “Management and Spending Challenges Within the Department of Energy’s Office of Energy Efficiency and Renewable Energy.”

- February 5 House Committee on Energy and Commerce Subcommittee on Energy will hold a hearing on “Modernizing the Natural Gas Act to Ensure it Works for Everyone.”

- February 5 House Committee on Science, Space, and Technology Subcommittee on Research and Technology will hold a hearing on “America’s Seed Fund: A Review of SBIR and STTR.”

Upcoming Major Decisions and Events

- Week of Feb. 3 (tent.) House T&I majority briefing on WIFIA-Reclamation MOU & Appropriations language with OW

- February 4 Office of Brownfields and Land Revitalization will join OIR and R6 in a meeting with Mayor Ron Nirenberg, and several Councilmembers, including Councilwoman Ana Sandoval, to discuss the city’s continued Brownfields partnership with EPA and share success stories from their Brownfields projects.

- February 5 House T&I majority briefing on WIFIA-Reclamation MOU and appropriations language with OW

- February 7 Charter Renewal of the Farm, Ranch, and Rural Communities Committee

- February 9-12 The National Association of Regional Councils will host its annual National Conference of Regions in Washington, DC

Office of Enforcement and Compliance Assurance

Hot Topics

Trucking Companies Sentenced for Renewable Energy Fraud

On January 23, Hector Garza Jr. was sentenced in the Eastern District of Washington to two years in prison to be followed by a three-year term of supervised release. Tammy Garza was sentenced to four months in prison and one year of supervised release. HTG Trucking, LLC and Freedom Fuel, Inc. were sentenced to a three-year term of court supervision. All the defendants were ordered to pay restitution to the U.S. Treasury of \$284,546 and a \$100,000 fine. The defendants were participants in a conspiracy involving Gen-X Energy Group, Inc. (Gen-X), a renewable energy company formerly located in Pasco and Moses Lake, Washington. Between January 2013 and April 2013, Hector Garza and his co-conspirators falsely claimed the production of hundreds of thousands of marketable renewable energy credits, which they then sold for more than \$296,000, and filed false claims with the IRS for \$284,546 in excise credit refunds. Throughout this period, much of the renewable fuel claimed to be produced at the Gen-X facilities was either not produced or re-processed multiple times.

Rocky Mountain Arsenal Superfund Site

On January 29, OMB facilitated a meeting among OECA, OLEM, R8, Department of Defense, and the Army to identify a means for the Army to reimburse EPA's past oversight costs and cover future oversight costs at the Rocky Mountain Arsenal Superfund site in Colorado.

Upcoming Major Decisions and Events

Procedure for Conducting Civil Administrative Inspections

In accordance with the October 9, 2019, Executive Order 13892, *Promoting the Rule of Law Through Transparency and Fairness in Civil Administrative Enforcement and Adjudication*, we anticipate publication in February in the Federal Register of a rule that describes agency procedure for conducting civil administrative inspections.

Office of General CounselHot Topics***Menominee Indian Tribe of Wisconsin v. EPA, et al*, No. 19-1130 (7th Cir. Jan. 27, 2020).**

New Decision: The Court affirmed the district court's dismissal of the Menominee Tribe of Wisconsin's complaint seeking reconsideration of a 1984 EPA and Army Corps of Engineers decision to allow Michigan, instead of the federal government, to issue certain permits under the Clean Water Act. The Court held that letters from the agencies stating that the agencies lacked authority to reconsider the State of Michigan's authority to issue Section 404 permits for construction of a mine on the Menominee River did not reflect agency decisions because they "did little but restate . . . that Michigan, as a result of the 1984 delegation, had permitting authority" over the relevant section of the Menominee River. The Court also held that EPA's decision to withdraw its objections to the State's proposed permit was a decision committed to EPA's discretion by law and therefore unreviewable under the APA. A concurring opinion suggested that the Tribe consider petitioning EPA to reassume federal permitting authority over this stretch of the Menominee.

Upcoming Events**New NOI**

By letter dated January 20, 2020, Eco Green Generation LLC, submitted a notice of intent to sue (NOI) under the Clean Air Act. The NOI alleges that the agency has failed to perform a nondiscretionary duty to make a "completeness" determination required by section 110(k)(1) with respect to a November 19, 2019, SIP submission made by the State of Alaska for the Fairbanks nonattainment area for the 2006 24-hour PM_{2.5} NAAQS.

Office of International and Tribal AffairsHot Topics**USMCA Signing and Implementation**

On January 29, the Administrator attended the President's signing for the United States, Mexico, Canada Agreement (USMCA) implementing legislation. Following the signing, AA McIntosh met with the U.S. Trade Representative Office (USTR) to discuss the agencies roles in the USMCA implementation, including allocation of funding sources. Additional funding for the Border Water Infrastructure Program (BWIP), Commission for Environmental Cooperation (CEC), the North American Development Bank (NADB) was included in the legislation. The USMCA implementing legislation also calls for EPA to assign a detailee to the U.S. Embassy in Mexico to monitor and enforce the environmental obligations of the agreement. AA McIntosh will also meet with the State Department's Mexico Office to discuss agency roles, including for matters related to transboundary water flows from Mexico. OITA will lead EPA's implementation of the USMCA, working closely with the key headquarters and regional offices.

International Air Quality Monitoring

EPA met with the State Department to discuss coordinating work on international air quality monitoring, building on the successful U.S. Embassy air quality monitoring program. Participants discussed opportunities to strengthen cooperation between environment and health ministries and between the main UN organizations that deal with this issue – United Nations Environment Program, World Health Organization, and World Meteorological Organization. There was also discussion on opportunities for other countries to install reference grade air quality monitors at embassies to complement the U.S. embassy air quality monitoring program. These efforts would improve data coordination and sharing across platforms, while highlighting U.S. leadership on air quality around the world.

Upcoming Major Decisions and Events

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| January 29 to Feb. 3 | The Administrator will travel to Brazil to sign a Memorandum of Understanding between EPA and the Brazilian Ministry of Environment, which includes cooperation on water quality, marine litter, and waste management. |
| February 4 | OITA will meet with Japan's Ministry of Economy, Trade and Industry (METI) to discuss cooperation on G20 matters, including resource efficiency. |
| February 7 | OITA will meet with Circulate Capital to discuss cooperation on global marine litter issues, including investments in Southeast Asia. |
| February 7 | OITA will meet with Salmon Beyond Borders to discuss transboundary pollution issues in Montana and Alaska from large scale mining in British Columbia. |

Office of the Land and Emergency Management

Hot Topics

Coal Combustion Residuals (CCR).

- CCR Phase 2 proposed rule (package 1) – On October 15, 2019, the public comment period ended; OLEM is reviewing the comments.
- CCR permitting NPRM (package 3) – This was signed and announced on December 19, 2019. We received edits from the Office of the Federal Register (OFR) and anticipate changing the public hearing date before sending the package back to OFR for publication.
- CCR litigation packages (package 2, parts A and B) – On December 2, the Part A NPRM package was published in the FR. The 60-day public comment period ends on January 31. Part B is with OMB for expedited review; we received a second set of interagency comments this week. OMB is targeting no later than mid-February to conclude review.

Ongoing Major Superfund NPL sites

We are working with R1 on the Housatonic River; R2 on Woodbrook Road and Rolling Knolls; R4 on Oak Ridge, Birmingham 35th Ave., and Petroleum Products Corporation; R8 on Butte and Anaconda Smelter; and R10 on Portland Harbor, Quendall Terminal, Bradford Island, and East Waterway.

CERCLA 108(b) Financial Assurance (next three sectors)

On December 4, 2019, the Industry 2 (Petroleum and Coal) rule package was signed by the court-ordered deadline. The rule was published in the FR on December 23, 2019, and the public comment period ends on February 21. OLEM received additional comments from EOP reviewers this week on the Industry 3 (Chemical Manufacturing) NPRM package and we passed back responses. We anticipate OMB concluding its review by the end of this week.

PFAS

Designation of PFOA/PFOS as CERCLA Hazardous Substances NPRM. The rule package was submitted to the Office of Policy on September 20, 2019, for OMB review.

Upcoming Major Decisions and Events

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| February 4 | Community Involvement Conference: Steven Cook and others from headquarters and the regions will participate in this training conference in Chicago. |
| February 5 | Hearing: AA Wright will testify before the Interior, Environment and Related Agencies Subcommittee of the House Appropriations Committee. The hearing will focus on the nation's recycling efforts, including challenges that state and local governments face with respect to recycling and an exploration of critical priorities to improve the economics and stability of the recycling market. OLEM is working closely with OCIR to prepare for the hearing. |
| Early February | AA Wright plans to do an on-camera interview with CNBC regarding recycling for a story to be aired at a later date. |
| February 11 | Leadership Retreat: OLEM has an all-day leadership retreat planned. |

Office of Mission Support

Hot Topics

Headquarters Conference Center Update

The HQs Conference Center construction has begun. On January 21, GSA provided the EPA the construction baseline schedule, including the critical path, safety plans, and submittal log. The project is currently on schedule for completion in fall 2020.

Notice of Proposed Debarment

On January 28, the EPA Suspension and Debarment Official issued a notice of proposed debarment to Monsanto. The proposed debarment, issued under 2 CFR Part 180, is based on Monsanto's conviction on December 16, 2019, for one count of unlawful spraying of a banned pesticide in violation of the Federal Insecticide, Fungicide, and Rodenticide Act and a Deferred Prosecution Agreement (November 21, 2019) on two counts of unlawful storage of hazardous waste without a permit, which is in violation of the Resource Conservation and Recovery Act. The proposed debarment provides Monsanto with an opportunity to contest the proposed action without imposing an immediate exclusion from receiving federal contracts and covered transactions.

2020 Nominations for Executive Resources and Performance Review Boards

On January 24, the OMS PDAA issued a memorandum to senior agency officials seeking nominations of executives for membership to the U.S. Environmental Protection Agency's Executive Resources Board and Performance Review Board. These nominations are due to OMS by February 7.

Presidential Rank Award Nominations Solicited

Each year the President selects an elite group of career members of the senior executive service, senior level, and scientific and professional corps to receive the prestigious Presidential Rank Award. Award recipients are chosen through a rigorous selection process, including a nomination by Administrator Wheeler, board evaluation, and final approval by the President. On January 27, the OMS PDAA issued a memorandum to senior agency officials seeking nominations for the PRA. These nominations are due to OMS by February 14.

Upcoming Major Decisions and Events

National Honor Awards

The EPA's NHA Board met on January 23 to complete voting on the 2019 awards. The Board is recommending 109 awards and 712 awardees to the Administrator. The ceremony is planned for June 2020.

Office of PolicyHot Topics**Organization for Economic Cooperation and Development (OECD) in Paris**

On February 5 to 7, the Director of the National Center for Environmental Economics and a staff economist will participate in an OECD meeting in Paris, France focused on the integration of environmental and economic policies.

Upcoming Major Decisions and Events**Active Interagency Reviews from OMB**

Subject	OMB Due Date
HUD NPRM: Economic Growth Regulatory Relief and Consumer Protection Act: Implementation of National Standards for the Physical Inspection of Real Estate (NSPIRE)	01/31/2020
DOT/FAA NPRM: Noise Certification of Supersonic Airplanes	02/10/2020
DHS/FEMA Policy: Hazard Mitigation Assistance: Building Resilient Infrastructure and Communities	02/10/2020
DoD/ACE NPRM (Pass-back): Natural Disaster Procedures: Preparedness, Response, and Recovery Activities of the Corps of Engineers	N/A

Documents Sent to the OFR from January 23 -29, 2020

FRL #	Title	Date Sent to FR
10002-32b-OCSP	Pesticide Product Registration; Receipt of Applications for New Uses (October 2019)	01-29-2020
10004-84-Region 3	Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Reasonably Available Control Technology State Implementation Plan for Nitrogen Oxides Under the 2008 Ozone National Ambient Air Quality Standard	01-29-2020
10004-39-OCSP	Pesticide Registration Review; Interim Decision for Glyphosate; Notice of Availability	01-29-2020
10004-78-ORD	Ambient Air Monitoring Reference and Equivalent Methods; Designation of One New Reference Method	01-29-2020
10004-89-OGC	Proposed Consent Decree, Clean Water Act and Administrative Procedures Act Claims	01-29-2020
10003-50-OMS	PM2.5 NAAQS SIP Requirements Rule (Renewal)/ICR 2258.05	01-27-2020
10004-69-Region 4	Air Plan Approval; Kentucky; Cross-State Air Pollution Rule	01-27-2020
10004-87-Region 8	National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of the Idaho Pole Co. Superfund Site	01-27-2020
10004-46-OAR	Release of a Final Document Related to the Review of the National Ambient Air Quality Standards for Particulate Matter	01-27-2020
10004-76-OMS	NSPS for Phosphate Rock Plants (Renewal)/ICR 1078.12	01-27-2020
10004-85-OAR	Meeting of the Mobile Sources Technical Review Subcommittee	01-27-2020
10001-90-OMS	Institutional Dual Use Research of Concern (iDURC) Policy Compliance (Renewal)/ICR 2530.03	01-24-2020
10003-09-OMS	Procedures for Implementing NEPA (Renewal)/ICR 2243.09	01-24-2020
10003-51-OMS	Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of Iowa	01-24-2020
10003-49-OMS	Cross-Media Electronic Reporting: Authorized Program Revision Approval, Maricopa County, Arizona	01-24-2020
10004-68-Region 4	Air Plan Approval; AL and SC; Infrastructure Requirements for the 2015 Ozone National Ambient Air Quality Standard	01-24-2020

10004-28-OAR	Recent Postings of Broadly Applicable Alternative Test Methods	01-24-2020
10004-80-OMS	NESHAP for Lime Manufacturing (Renewal)/ICR 2072.08	01-24-2020
10001-54-Region 6	Incorporation by Reference of Approved State Hazardous Waste Management Program	01-23-2020
10004-01-Region 6	Withdrawal of Finding of Substantial Inadequacy of Implementation Plan and of Call for Texas State Implementation Plan Revision - Affirmative Defense Provisions	01-23-2020
10004-04-OMS	NESHAP for Aerospace Manufacturing and Rework Facilities (Renewal)/EPA ICR No.1687.12	01-23-2020
10004-66-Region 9	Air Plan Conditional Approval; Arizona; Maricopa County	01-23-2020
10004-71-Region 10	Approval and Promulgation of Implementation Plans; Washington; Puget Sound Clean Air Agency, Regulation I	01-23-2020

Office of Research and Development

Hot Topics

New Hampshire PFAS Reports

This week, ORD delivered two reports to the New Hampshire Department of Environmental Services (NHDES) in response to their request for technical support with the analyses of per- and polyfluorinated alkyl substances (PFAS). ORD scientists used non-targeted analysis laboratory methods to identify and measure PFAS in 25 surface and ground water samples collected from an industry-impacted area in New Hampshire. ORD scientists also used non-targeted analysis laboratory methods to analyze four water samples collected from monitoring wells near an industrial site in New Hampshire.

Strengthening Transparency in Regulatory Science; Supplemental Proposal (Tier 1)

Last week, ORD participated in several interagency meetings on the supplemental proposal and submitted to OMB the 2 set of revisions to the supplemental proposal based on interagency comments. This week, ORD will participate in one E.O. 12866 meeting related to the supplemental proposal. The supplemental notice is still under inter-Agency review.

Risk Assessment Forum (RAF)

The RAF [Human Health Exposure Guidelines](#) have been posted to the EPA internet. The Guidelines incorporate advances in exposure science, promote consistency in agency assessments, better reflect the way exposure assessments are conducted across the Agency, and incorporates updated Agency policies. These guidelines replace and supersede the *Guidelines for Exposure Assessment*, which were published in 1992.

Remote Sensing Options for the Oronogo-Duenweg Mining Belt Superfund Site

On January 30, ORD met with R7 to discuss potential remote sensing options for lead in mining materials. The discussion will focus on the Oronogo-Duenweg Mining Belt Superfund Site of the Tri-State Mining District (TSMD) and may also include other areas within the TSMD. Mined materials are present over large areas and site RPMs are interested in identifying the volume and location of lead-contaminated materials site-wide including in remote areas to assist with site characterization, cleanup, and closure activities at the site, located near Joplin, Missouri.

Upcoming Major Decisions and Events

- February 4 Senior leadership from OMS joining ORD for a town hall to hear about mission support products and services provided by OMS. Next week, David Dunlap looks forward to traveling with you to San Antonio, Texas to visit the Southwest Research Institute (SwRI), a contractor supporting ORD efforts to develop rapid and scalable methods for characterizing chemical exposure.
- February 5 Arsenic Task Force Meeting
ORD is meeting with the externally based Arsenic Science Task Force to discuss the draft Arsenic IRIS protocol and the NAS report.
- February 5-6 Great Plains and Midwest Harmful Algal Blooms Workshop
ORD will participate in the Great Plains/Midwest HABs Workshop on the University of Kansas Edwards Campus and at R7 offices. The workshop will include speakers from federal, state, and local governments, NGOs, and academia covering best practices, goals, needs, and barriers to HABs prevention and source water protection with a specific focus on the Midwest and Great Plains regions. Working with Rs 5, 7, and 8, the workshop aims to develop a shared understanding of best practices for preventing HABs in an agricultural dominated landscape and protecting source water quality in these areas.

Office of Water

Hot Topics

Nothing to report

Upcoming Major Decisions and Events

Wyoming Department of Environmental Quality (DEQ) Oil and Gas Stakeholder Engagement

On January 30, Deputy Assistant Administrator Lee Forsgren and Oil and Gas Senior Counsel Megan Garvey met with stakeholders from Wyoming DEQ and the Wyoming Governor's Office to discuss produced water for oil and gas in Cheyenne, WY. This discussion follows up on the Oil and Natural Gas Stakeholder Roundtable that took place on November 4 and 5, 2019 in Albuquerque, NM.

Mississippi River Gulf of Mexico Watershed Nutrient Task Force Meeting (Hypoxia Task Force)

On February 4, AA Ross, in his role as the co-chair of Hypoxia Task Force, will lead this bi-annual meeting and provide an update on federal actions to help address the hypoxic dead zone in the Gulf of Mexico. Principal Deputy Assistant Administrator Anna Wildeman will also participate. The public portion of this meeting is open to press. The meeting will be held at EPA Headquarters in Washington, DC.